

**BEFORE THE ENVIRONMENT COURT**

**ENV-2022-AKL- 000081**

**IN THE MATTER OF**

The Resource Management Act 1991

**AND**

**IN THE MATTER OF**

of an appeal pursuant to clause 14(1) of the  
First Schedule of the Resource Management  
Act 1991

**BETWEEN**

**WEL NETWORKS LIMITED**

**APPELLANT**

**AND**

**WAIKATO DISTRICT COUNCIL**

**RESPONDENT**

**NOTICE OF WISH TO BE A PARTY TO PROCEEDINGS PURSUANT TO SECTION 274 OF THE  
RESOURCE MANAGEMENT ACT 1991**

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## Notice of person's wish to be party to proceedings

*Section 274, Resource Management Act 1991*

To the Registrar  
Environment Court  
Auckland

Heritage New Zealand Pouhere Taonga (HNZPT), wish to be a party to the following proceedings:

in the matter of Waikato District Council v WEL Networks Limited, an appeal under clause 14 of the First Schedule of the Resource Management Act, by WEL Networks Limited against part of the decision made by Waikato District Council on the Waikato District Council Proposed Waikato District Plan. (WaiDC PDP)

1. HNZPT made submissions and further submissions on the subject matter of the proceedings.
2. HNZPT is interested in part of the proceedings associated with this appeal.
3. HNZPT is not a trade competitor for the purposes of 308C of the Resource Management Act 1991.
4. Given the significant cultural and archaeological landscape of the Waikato District, HNZPT is interested in matters related to historic heritage associated with this appeal.
5. HNZPT is interested in the following particular issues and relief sought by the appellant, namely:

Section -All infrastructure , the amendments sought (additions-underline and deletions - strikethrough) to Policy AINF-P8-Undergrounding new infrastructure, as follows:

*Policy AINF-P8-Undergrounding new infrastructure*

*(a) Encourage new infrastructure to be placed underground unless:*

- (i) The adverse effects on the environment are greater than placing the infrastructure above the ground;*
- (ii) A natural or physical feature or structure renders underground placement impractical or undesirable; or*
- (iii) There are ~~significant~~ operational, functional, technical, cultural, historic heritage or economic reasons that require the infrastructure to be above ground; or*
- (iv) The infrastructure is located in the Rural Zone.*

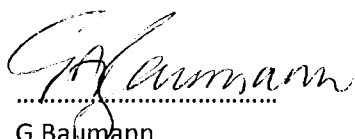
- (b) Such further or other relief or other consequential or other amendments to these or other provisions as considered appropriate and necessary to address WEL's concerns.

6. HNZPT opposes the relief sought because:

- a. HNZPT made a submission to Policy AINF-P8 for the inclusion of the consideration of historic heritage as one of the reasons to not underground infrastructure. This amendment was included onto the decision version of the WaiDC PDP.
- b. The amendments sought by WEL Networks Limited would restrain the application of this policy to the Rural zone, when a wider consideration would be appropriate given historic heritage is located in numerous zones throughout the Waikato District, and
- c. the removal of the threshold of "significant" in terms of operational, functional, or technical reasons could potentially mean the destruction of historic heritage or cultural values for a less than significant operational, functional or technical reason, which HNZPT would not support.

7. HNZPT agrees to participate in mediation or other alternative dispute resolution of the proceedings.

DATED this 23<sup>rd</sup> day of March 2022



G Baumann  
Senior Legal Adviser  
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Taonga

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**Wel Networks Limited**

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